

IN RE: PETITION FOR ADMIN. VARIANCE
S/S of Glasshouse Garth, 128' W of
the centerline of Green House Circle
11th Election District
5th Councilmanic District
(13 Glasshouse Garth)

Wayne & Sandra Krieger
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 99-528-A

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an administrative variance filed by Wayne & Sandra Krieger, property owners, for that property known as 13 Glasshouse Garth in the Perry Hall area of Baltimore County. The Petitioners herein seek a variance from Sections 504 (V.B.6.b.) and 301.1 of the Baltimore County Zoning Regulations (BCZR), to permit a 3 ft. rear yard setback in lieu of the required 11.25 ft. for an open deck and to amend the last approved FDP of Arbour Green. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

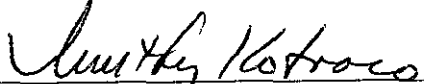
The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

8/3/99
R. Jameson

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of August, 1999 that a variance from Sections 504 (V.B.6.b.) and 301.1 of the Baltimore County Zoning Regulations (BCZR), to permit a 3 ft. rear yard setback in lieu of the required 11.25 ft. for an open deck and to amend the last approved FDP of Arbour Green, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj





Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

August 4, 1999

Mr. & Mrs. Wayne Krieger
13 Glasshouse Garth
Baltimore, Maryland 21236

Re: Petition for Administrative Variance
Case No. 99-528-A
Property: 13 Glasshouse Garth

Dear Mr. & Mrs. Krieger:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in black ink, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

#528

for the property located at 13 GLASSHOUSE GARTHwhich is presently zoned DR S.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

504 (V.B.6.6.) and 301.1 to permit a 3-ft rear yard setback
in lieu of 11.25 ft for an open deck and to amend the
last approved FDP of Arbour Green.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

WAYNE KRIEGER
Name - Type or Print

Signature

SAUNDRA KRIEGER
Name - Type or Print

Signature

13 GLASSHOUSE GARTH 410-248-0337
Address Telephone No.BALTIMORE MD. 21236
City State Zip Code

Representative to be Contacted:

VINCENT DELAIR
Name1113 BALDWIN MILL RD 410-557-0555
Address Telephone No.JARRETTSVILLE MD 21084
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-528-A

REV 9/15/98

Reviewed By MTK Date 6/30/99Estimated Posting Date 7/11/99

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 13 GLASSHOUSE FARTH
Address
BALTIMORE MD 21236
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

1. THAT CURRENT SETBACKS WILL NOT ALLOW US TO BUILD A DECK OVER 10' IN PROJECTION, WHICH DOES NOT MAKE A SUITABLE SIZE FOR OUR NEEDS,
2. OTHER DECKS ON SAME BLOCK AS OURS HAVE LARGER DECKS WITH SAME LOT SIZE AND SETBACKS.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Wayne Krieger
Signature
WAYNE KRIEGER
Name - Type or Print

Sandra L. Krieger
Signature
SANDRA KRIEGER
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16th day of JUNE, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

WAYNE KRIEGER AND SANDRA KRIEGER
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

JUNE 16th 1999
Date

[Signature]
Notary Public

My Commission Expires APRIL 26, 2000

REV-09/15/98



Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

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Address
BALTIMORE MD 21236
City State Zip Code

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Wayne Krieger
Signature
WAYNE KRIEGER
Name - Type or Print

Sandra Krieger
Signature
SANDRA KRIEGER
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 16th day of JUNE, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

WAYNE KRIEGER AND SANDRA KRIEGER
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

JUNE 16, 1999
Date

[Signature]
Notary Public

My Commission Expires APRIL 26, 2000

REV 09/15/98



#528



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 13 GLASS HOUSE GARTH
which is presently zoned DR S.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

*504 (V.B 6. b.) and 301.1 to permit a 3-ft rear yard setback
in lieu of 11.25 ft for an open deck and to amend the
last approved FDP of Arbour Green.*

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

KRIEGER
WAYNE KRIEGER
Name - Type or Print _____
Wayne F. Krieger
Signature _____
KRIEGER
SANDRA KRIEGER
Name - Type or Print _____
Sandra L. Krieger
Signature _____
13 GLASSHOUSE GARTH 410-248-0337
Address Telephone No.
BALTIMORE MD 21236
City State Zip Code

Representative to be Contacted:

VINCENT DELAIR
Name _____
1113 BALDWIN MILL RD 410-557-0555
Address Telephone No.
JARRETTVILLE MD 21084
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-528-A

Reviewed By MJK Date 6/30/99

REU 9/15/98

Estimated Posting Date 7/11/99

ZONING DESCRIPTION FOR 13 Glasshouse Garth

Beginning at a point on the South side of Glasshouse Garth which is 30 feet wide at the distance of 128 feet West of the centerline of the nearest improved intersecting street Green House Circle which is 30 feet wide. *Being Lot # 39, in the subdivision of Arbour Green as recorded in Baltimore County Plat Book # 54, Folio # 121, containing 2,179 square feet. Also known as 13 Glasshouse Garth and located in the 11th Election District, ⁵~~4~~th Councilmanic District.

#528
99-528-A

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. 070413

DATE 6/29/99 ACCOUNT 01-6150

By: mjk AMOUNT \$ 100.00
Item: 528

RECEIVED American Design + Buildg - 13 Glasshouse Garden

FOR: 010- Res Var. \$ 50.00
030- Sp Hwy Amendment - \$ 50.00

PAID RECEIPT

PROCESS ACTUAL TIME
6/29/1999 6/29/1999 11:33:57
REG 0905 CASHIER WASTE MESS DINNER
DEPT 5 528 ZUNING VERIFICATION
RECEIPT # 103006
CR NO. 070413

Receipt Tot 100.00
60.00 CR 40.00 CA
Baltimore County, Maryland

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

99.528-A

CERTIFICATE OF POSTING

RE: CASE # 99-528-A
PETITIONER/DEVELOPER:
[Wayne Krieger]
DATE OF Hearing
[July 26, 1999]

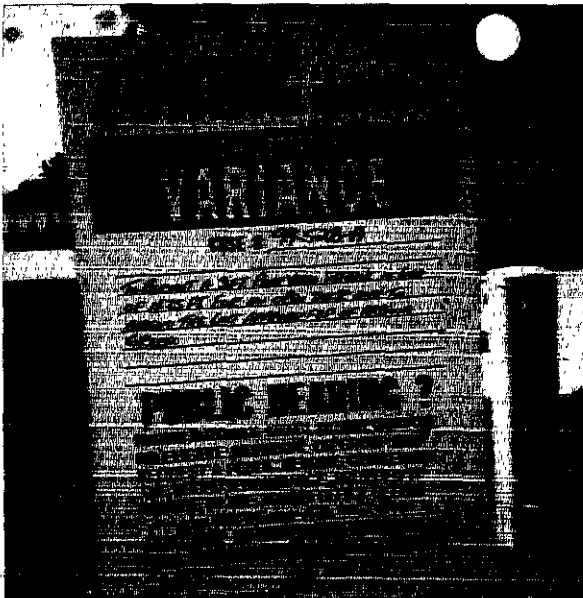
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign[s] required by law were posted conspicuously on the property located at
13 Glasshouse Garth Perry Hall , Maryland 21236_____

The sign[s] were posted on _____ 7-9-99 _____
[month, Day, Year]



Sincerely,

Thomas P. Ogle, Sr. 7/9/99
[Signature of Sign Poster & Date]

____ Thomas P. Ogle, Sr. ____

____ 325 Nicholson Road ____

____ Baltimore, Maryland 21221 ____

____ (410)-687-8405 ____
[Telephone Number]

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 528 -A Address 13 Glasshouse Garth

Contact Person: Mitch Kellman Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 6/29/99 Posting Date: 7/11/99 Closing Date: 7/26/99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 99- 528 -A Address 13 Glasshouse Garth

Petitioner's Name Wayne Krieger Telephone 410-248-0337

Posting Date: 7/11/99 Closing Date: 7/26/99

Wording for Sign: To Permit a 3-ft rear yard setback
in lieu of 11.25 ft for an open deck and
to amend the last approved FDP of
Arbour Green

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 99-528-A

Petitioner: WAYNE AND SANDRA KREIGER

Address or Location: 13 GLASSHOUSE BARTH BULD MD. 21236

PLEASE FORWARD ADVERTISING BILL TO:

Name: AMERICAN DESIGN + BUILD INC. LTD.

Address: 1113 BALDWIN MILL RD.

JARROTSVILLE MD. 21084

Telephone Number: 410-557-0555

Revised 2/20/98 - SCJ

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 13 Glasshouse Green

Subdivision name: ALBION GREEN

plat book # 3, folio # 121, lot # 39, section #

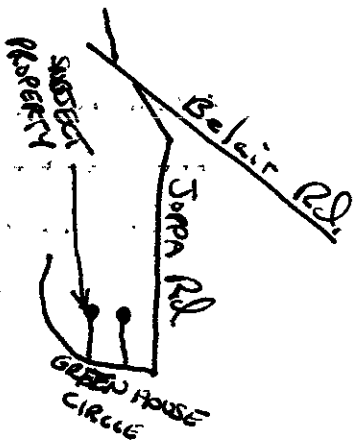
OWNER: WAYNE + SANDRA KAISER



North

date: 6-11-99

prepared by: VINCENT DEARIE Scale of Drawing: 1" = 20'



LOCATION INFORMATION

Election District: 11

Councilmanic District: 14

1"=200' scale map: ME 10-H

Zoning: DR S.S

Lot size: 2179 acreage square feet

SEWER: ☒ PUBLIC ☐ PRIVATE

WATER: ☒ YES ☐ NO

Chesapeake Bay Critical Area: ☐ YES ☒ NO

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE #: _____



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 29, 1999

Mr. Vincent Delair
1113 Baldwin Mill Road
Jarrettsville, MD 21084

Dear Mr. Delair:

RE: Case No.: 99-528-A, Petitioner: Mr. & Mrs. Krieger,
Location: 13 Glasshouse Garth

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on June 29, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

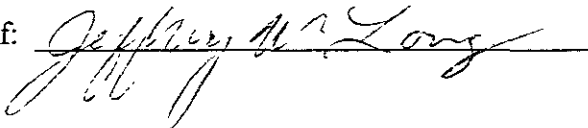
Date: July 20, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 525, 528, 003, 004, and 007

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: 

AFK/JL



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

July 21, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 19, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

525, 526, (528), 529, 531, 532, 002, 003, 004, 007, 008,
009, 010, 011, 012, AND 013.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 7.20.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

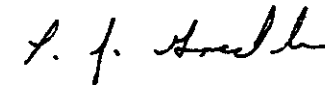
RE: Baltimore County
Item No. 528 MJK

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,


for Michael M. Lenhart, Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

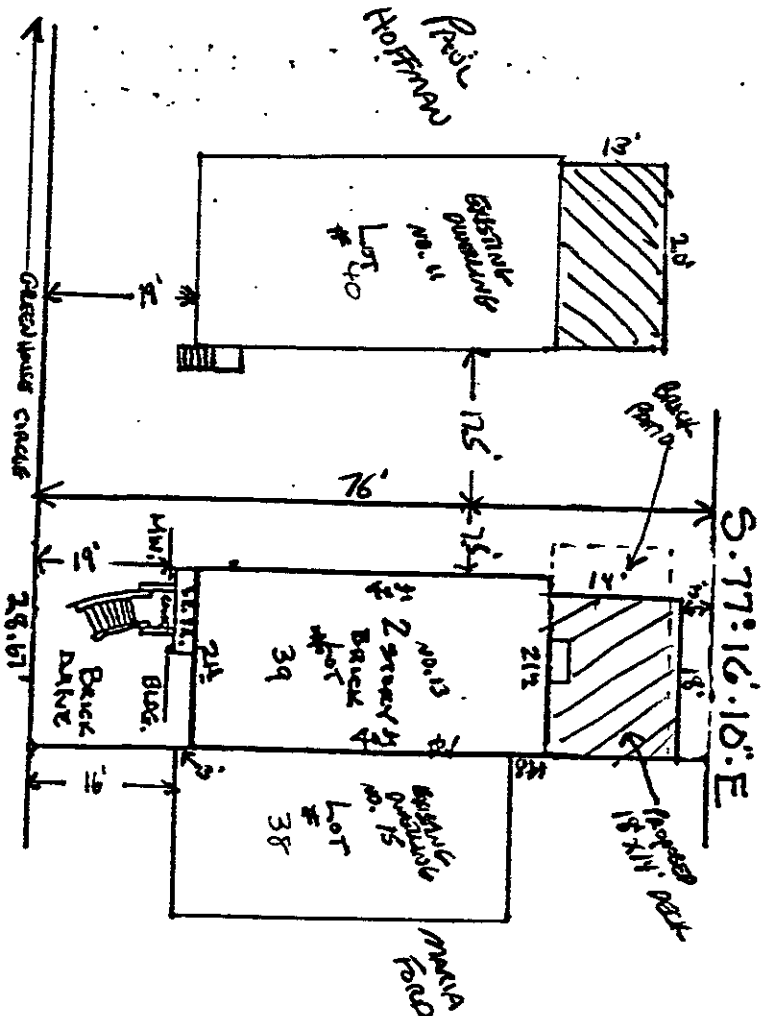
☒ Variance ☐ Special Hearing

☒ Variance ☐ Special Hearing

Subdivision name: **ACEANA**

Plat book # 54, folios 121, 101 # 39, section # -

OWNER: WATNE + SANDRA KREIGER



North
date: 6-11-99
prepared by:

GLASSHOUSE GARTH
Scale of Drawing: 1" = 20'

Scale of Drawing: 1" = 20'

LOCATION INFORMATION

Election District: 11

Councilman's District: 5

1'-200' scale map: NE 10-H

Zoning: DR 5.5

Lot size: .05 2179

SEVERA: ☒ ☐

WATER: ☒ ☐

Chesapeake Bay Critical Area

Public Zoning Hearings: 10/24/06

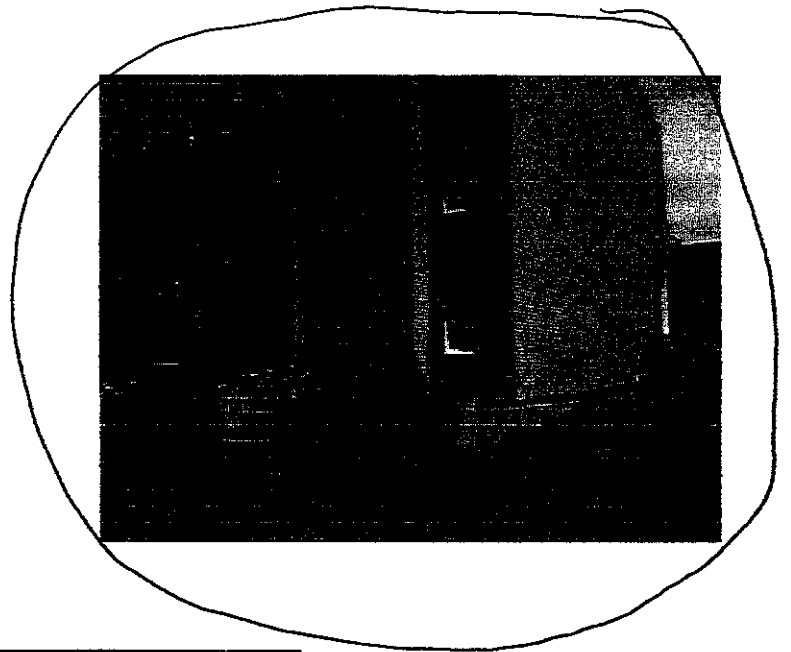
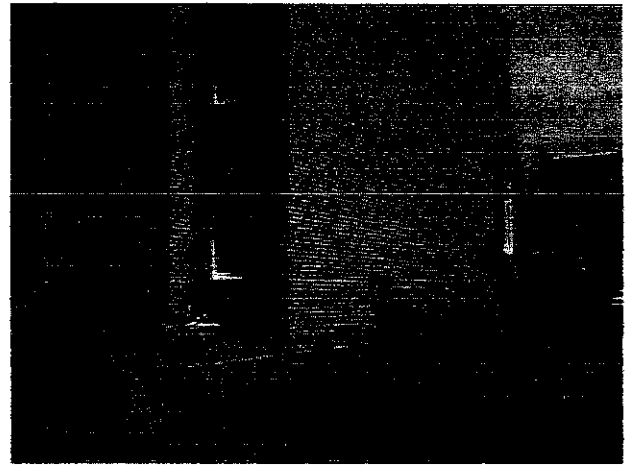
Zoning Office USE ONLY!

Reviewed by: ITEM #: CASE #

528-99-5

10

99-528-A



#528

99-528-A



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. VA. 26151

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	PERRY HALL VICINITY	N.E. 10-H
DATE OF PHOTOGRAPHY JANUARY 1986	#528	